

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1001 be amended to read as follows:

- 1 Page 55, between lines 3 and 4, begin a new paragraph and insert:
- 2 "SECTION 45. IC 6-1.1-20-3.1, AS AMENDED BY P.L.178-2002,
- 3 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JANUARY 1, 2004]: Sec. 3.1. **(a) This section applies only to a**
- 5 **controlled project for which proper officers of the political**
- 6 **subdivision make a preliminary determination to issue bonds or**
- 7 **enter into a lease before January 1, 2004.**
- 8 **(b) A political subdivision may not impose property taxes to pay debt**
- 9 **service or lease rentals without completing the following procedures:**
- 10 (1) The proper officers of a political subdivision shall:
- 11 (A) publish notice in accordance with IC 5-3-1; and
- 12 (B) send notice by first class mail to any organization that
- 13 delivers to the officers, before January 1 of that year, an annual
- 14 written request for such notices;
- 15 of any meeting to consider adoption of a resolution or an
- 16 ordinance making a preliminary determination to issue bonds or
- 17 enter into a lease and shall conduct a public hearing on a
- 18 preliminary determination before adoption of the resolution or
- 19 ordinance.
- 20 (2) When the proper officers of a political subdivision make a
- 21 preliminary determination to issue bonds or enter into a lease, the
- 22 officers shall give notice of the preliminary determination by:
- 23 (A) publication in accordance with IC 5-3-1; and
- 24 (B) first class mail to the organizations described in subdivision

- 1 (1)(B).
- 2 (3) A notice under subdivision (2) of the preliminary determination
- 3 of the political subdivision to issue bonds or enter into a lease must
- 4 include the following information:
- 5 (A) The maximum term of the bonds or lease.
- 6 (B) The maximum principal amount of the bonds or the
- 7 maximum lease rental for the lease.
- 8 (C) The estimated interest rates that will be paid and the total
- 9 interest costs associated with the bonds or lease.
- 10 (D) The purpose of the bonds or lease.
- 11 (E) A statement that any owners of real property within the
- 12 political subdivision who want to initiate a petition and
- 13 remonstrance process against the proposed debt service or
- 14 lease payments must file a petition that complies with
- 15 subdivisions (4) and (5) not later than thirty (30) days after
- 16 publication in accordance with IC 5-3-1.
- 17 (F) With respect to bonds issued or a lease entered into to
- 18 open:
- 19 (i) a new school facility; or
- 20 (ii) an existing facility that has not been used for at least
- 21 three (3) years and that is being reopened to provide
- 22 additional classroom space;
- 23 the estimated costs the school corporation expects to incur
- 24 annually to operate the facility.
- 25 (G) A statement of whether the school corporation expects to
- 26 appeal as described in IC 6-1.1-19-4.4(a)(4) for an increased
- 27 adjusted base levy to pay the estimated costs described in
- 28 clause (F).
- 29 (4) After notice is given, a petition requesting the application of a
- 30 petition and remonstrance process may be filed by the lesser of:
- 31 (A) two hundred fifty (250) owners of real property within the
- 32 political subdivision; or
- 33 (B) ten percent (10%) of the owners of real property within
- 34 the political subdivision.
- 35 (5) Each petition must be verified under oath by at least one (1)
- 36 qualified petitioner in a manner prescribed by the state board of
- 37 accounts before the petition is filed with the county auditor under
- 38 subdivision (6).
- 39 (6) Each petition must be filed with the county auditor not more
- 40 than thirty (30) days after publication under subdivision (2) of the
- 41 notice of the preliminary determination.
- 42 (7) The county auditor must file a certificate and each petition
- 43 with:
- 44 (A) the township trustee, if the political subdivision is a
- 45 township, who shall present the petition or petitions to the
- 46 township board; or

(B) the body that has the authority to authorize the issuance of the bonds or the execution of a lease, if the political subdivision is not a township; within fifteen (15) business days of the filing of the petition requesting a petition and remonstrance process. The certificate must state the number of petitioners that are owners of real property within the political subdivision.

(c) If a sufficient petition requesting a petition and remonstrance process is not filed by owners of real property as set forth in this section, the political subdivision may issue bonds or enter into a lease by following the provisions of law relating to the bonds to be issued or lease to be entered into.

SECTION 46. IC 6-1.1-20-3.2, AS AMENDED BY P.L.178-2002, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2004]: Sec. 3.2. **(a) This section applies only to a controlled project for which proper officers of the political subdivision make a preliminary determination to issue bonds or enter into a lease before January 1, 2004.**

**(b)** If a sufficient petition requesting the application of a petition and remonstrance process has been filed as set forth in section 3.1 of this chapter, a political subdivision may not impose property taxes to pay debt service or lease rentals without completing the following procedures:

(1) The proper officers of the political subdivision shall give notice of the applicability of the petition and remonstrance process by:

(A) publication in accordance with IC 5-3-1; and

(B) first class mail to the organizations described in section ~~3.1(1)(B)~~ **3.1(b)(1)(B)** of this chapter.

A notice under this subdivision must include a statement that any owners of real property within the political subdivision who want to petition in favor of or remonstrate against the proposed debt service or lease payments must file petitions and remonstrances in compliance with subdivisions (2) through (4) not earlier than thirty (30) days or later than sixty (60) days after publication in accordance with IC 5-3-1.

(2) Not earlier than thirty (30) days or later than sixty (60) days after the notice under subdivision (1) is given:

(A) petitions (described in subdivision (3)) in favor of the bonds or lease; and

(B) remonstrances (described in subdivision (3)) against the bonds or lease;

may be filed by an owner or owners of real property within the political subdivision. Each signature on a petition must be dated and the date of signature may not be before the date on which the petition and remonstrance forms may be issued under subdivision

(3). A petition described in clause (A) or a remonstrance described in clause (B) must be verified in compliance with subdivision (4) before the petition or remonstrance is filed with the county auditor under subdivision (4).

(3) The state board of accounts shall design and, upon request by the county auditor, deliver to the county auditor or the county auditor's designated printer the petition and remonstrance forms to be used solely in the petition and remonstrance process described in this section. The county auditor shall issue to an owner or owners of real property within the political subdivision the number of petition or remonstrance forms requested by the owner or owners. Each form must be accompanied by instructions detailing the requirements that:

(A) the carrier and signers must be owners of real property;

(B) the carrier must be a signatory on at least one (1) petition;

(C) after the signatures have been collected, the carrier must swear or affirm before a notary public that the carrier witnessed each signature; and

(D) govern the closing date for the petition and remonstrance period.

Persons requesting forms may not be required to identify themselves and may be allowed to pick up additional copies to distribute to other property owners. The county auditor may not issue a petition or remonstrance form earlier than twenty-nine (29) days after the notice is given under subdivision (1). The county auditor shall certify the date of issuance on each petition or remonstrance form that is distributed under this subdivision.

(4) The petitions and remonstrances must be verified in the manner prescribed by the state board of accounts and filed with the county auditor within the sixty (60) day period described in subdivision (2) in the manner set forth in section 3.1 of this chapter relating to requests for a petition and remonstrance process.

(5) The county auditor must file a certificate and the petition or remonstrance with the body of the political subdivision charged with issuing bonds or entering into leases within fifteen (15) business days of the filing of a petition or remonstrance under subdivision (4), whichever applies, containing ten thousand (10,000) signatures or less. The county auditor may take an additional five (5) days to review and certify the petition or remonstrance for each additional five thousand (5,000) signatures up to a maximum of sixty (60) days. The certificate must state the number of petitioners and remonstrators that are owners of real property within the political subdivision.

(6) If a greater number of owners of real property within the political subdivision sign a remonstrance than the number that

signed a petition, the bonds petitioned for may not be issued or the lease petitioned for may not be entered into. The proper officers of the political subdivision may not make a preliminary determination to issue bonds or enter into a lease for the controlled project defeated by the petition and remonstrance process under this section or any other controlled project that is not substantially different within one (1) year after the date of the county auditor's certificate under subdivision (5). Withdrawal of a petition carries the same consequences as a defeat of the petition.

(7) After a political subdivision has gone through the petition and remonstrance process set forth in this section, the political subdivision is not required to follow any other remonstrance or objection procedures under any other law (including section 5 of this chapter) relating to bonds or leases designed to protect owners of real property within the political subdivision from the imposition of property taxes to pay debt service or lease rentals. However, the political subdivision must still receive the approval of the department of local government finance required by IC 6-1.1-18.5-8 or IC 6-1.1-19-8.

SECTION 47. IC 6-1.1-20-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2004]: **Sec. 3.5. (a) This section applies only to a controlled project for which proper officers of the political subdivision make a preliminary determination to issue bonds or enter into a lease after December 31, 2003.**

**(b) A political subdivision may not impose property taxes to pay debt service or lease rentals without completing the following remonstrance procedures:**

**(1) The proper officers of a political subdivision shall:**

**(A) publish notice in accordance with IC 5-3-1; and**

**(B) send notice by first class mail to any organization that delivers to the officers, before January 1 of that year, an annual written request for such notices;**

**of any meeting to consider adoption of an ordinance or a resolution making a preliminary determination to issue bonds or enter into a lease and shall conduct a public hearing on a preliminary determination before adoption of the ordinance or resolution.**

**(2) When the proper officers of a political subdivision make a preliminary determination to issue bonds or enter into a lease, the officers shall give notice of the preliminary determination by:**

**(A) publication in accordance with IC 5-3-1; and**

**(B) first class mail to the organizations described in**

- 1                   subdivision (1)(B).
- 2           **(3) A notice under subdivision (2) of the preliminary**
- 3           **determination of the political subdivision to issue bonds or**
- 4           **enter into a lease must include the following information:**
- 5                   **(A) The maximum term of the bonds or lease.**
- 6                   **(B) The maximum principal amount of the bonds or the**
- 7                   **maximum lease rental for the lease.**
- 8                   **(C) The estimated interest rates that will be paid and the**
- 9                   **total interest costs associated with the bonds or lease.**
- 10                  **(D) The purpose of the bonds or lease.**
- 11                  **(E) A statement that the proposed debt service or lease**
- 12                  **payments must be approved in a local public question held**
- 13                  **under section 3.6 of this chapter.**
- 14                  **(F) With respect to bonds issued or a lease entered into to**
- 15                  **open:**
- 16                          **(i) a new school facility; or**
- 17                          **(ii) an existing facility that has not been used for at**
- 18                          **least three (3) years and that is being reopened to**
- 19                          **provide additional classroom space;**
- 20                  **the estimated costs the school corporation expects to incur**
- 21                  **annually to operate the facility.**
- 22                  **(G) A statement of whether the school corporation expects**
- 23                  **to appeal as described in IC 6-1.1-19-4.4(a)(4) for an**
- 24                  **increased adjusted base levy to pay the estimated costs**
- 25                  **described in clause (F).**
- 26           SECTION 48. IC 6-1.1-20-3.6 IS ADDED TO THE INDIANA
- 27           CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
- 28           JANUARY 1, 2004]: **Sec. 3.6. (a) This section applies only to a**
- 29           **controlled project for which proper officers of the political**
- 30           **subdivision make a preliminary determination to issue bonds or**
- 31           **enter into a lease after December 31, 2003.**
- 32                   **(b) A political subdivision may not impose property taxes to pay**
- 33                   **debt service or lease rentals unless the political subdivision's**
- 34                   **proposed debt service or lease rental is approved in a local public**
- 35                   **question held under the remonstrance procedures in this section.**
- 36                   **(c) The following question shall be submitted to the voters at**
- 37                   **the election conducted under this section:**
- 38                           **"Shall \_\_\_\_\_ (insert the name of the political subdivision)**
- 39                           **issue bonds or enter a lease to finance \_\_\_\_\_ (insert**
- 40                           **the name of the controlled project)?".**
- 41                   **(d) The county auditor shall certify the public question**
- 42                   **described in subsection (c) under IC 3-10-9-3 to the county**
- 43                   **election board of the county that contains the greatest percentage**

of population of the political subdivision. The public question shall be placed on the ballot at the next primary or general election in which the all of the voters of the political subdivision are entitled to vote after the question is certified.

(e) The circuit court clerk shall certify the results of the public question to the following:

(1) The county auditor of each county in which the political subdivision is located.

(2) The department of local government finance.

(f) If a majority of the voters voting on the public question vote in favor of the public question, the department of local government finance shall take prompt and appropriate steps to notify the political subdivision that the political subdivision is authorized to issue the proposed bonds or enter into the proposed lease rental.

(g) If a majority of the voters voting on the public question vote in opposition to the public question, both of the following apply:

(1) The political subdivision may not issue the proposed bonds or enter into the proposed lease rental.

(2) Another public question under this section may not be submitted to the voters sooner than one (1) year after the date of the election.

(h) IC 3, to the extent not inconsistent with this section, applies to an election held under this section.

SECTION 49. IC 6-1.1-20-9, AS AMENDED BY P.L.90-2002, SECTION 196, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2004]: Sec. 9. (a) When the proper officers of a political subdivision decide to issue bonds payable from property taxes to finance a public improvement, they shall adopt an ordinance or resolution which sets forth their determination to issue the bonds. Except as provided in subsection (b), the political subdivision may not advertise for or receive bids for the construction of the improvement until ~~the expiration of the latter of:~~ after:

(1) ~~the expiration of~~ the time period within which taxpayers may file a petition for review of or a remonstrance the proposed issue in the case of a proposed issue that is subject to section 3.1 of this chapter;

(2) the proposed issue is approved in a local public question held under the remonstrance procedures in section 3.6 of this chapter in the case of a proposed issue that is subject to section 3.5 of this chapter; or

~~(2)~~ (3) the time period during which a petition for review of the proposed issue is pending before the department of local

1 government finance.

2 (b) When a petition for review of a proposed issue is pending before  
3 the department of local government finance, the department may order  
4 the political subdivision to advertise for and receive bids for the  
5 construction of the public improvement. When the department of local  
6 government finance issues such an order, the political subdivision shall  
7 file a bid report with the department within five (5) days after the bids  
8 are received, and the department shall render a final decision on the  
9 proposed issue within fifteen (15) days after it receives the bid report.  
10 Notwithstanding the provisions of this subsection, a political subdivision  
11 may not enter into a contract for the construction of a public  
12 improvement while a petition for review of the bond issue which is to  
13 finance the improvement is pending before the department of local  
14 government finance.

15 SECTION 50. IC 6-1.1-21-3, AS AMENDED BY P.L. 192-2002(ss),  
16 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17 UPON PASSAGE]: Sec. 3. (a) The department, with the assistance of  
18 the auditor of state and the department of local government finance,  
19 shall determine an amount equal to the eligible property tax replacement  
20 amount, which is the estimated property tax replacement.

21 (b) The department of local government finance shall certify to the  
22 department the amount of:

23 **(1) property tax deduction replacement credits provided**  
24 **under IC 6-1.1-21.9 that are allowed by the county for the**  
25 **particular calendar year; and**

26 **(2) homestead credits provided under IC 6-1.1-20.9 which are**  
27 **allowed by the county for the particular calendar year.**

28 (c) If there are one (1) or more taxing districts in the county that  
29 contain all or part of an economic development district that meets the  
30 requirements of section 5.5 of this chapter, the department of local  
31 government finance shall estimate an additional distribution for the  
32 county in the same report required under subsection (a). This additional  
33 distribution equals the sum of the amounts determined under the  
34 following STEPS for all taxing districts in the county that contain all or  
35 part of an economic development district:

36 STEP ONE: Estimate that part of the sum of the amounts under  
37 section 2(g)(1)(A) and 2(g)(2) of this chapter that is attributable  
38 to the taxing district.

39 STEP TWO: Divide:

40 (A) that part of the estimated property tax replacement amount  
41 attributable to the taxing district; by

42 (B) the STEP ONE sum.

43 STEP THREE: Multiply:

44 (A) the STEP TWO quotient; times

45 (B) the taxes levied in the taxing district that are allocated to a



1 special fund under IC 6-1.1-39-5.

2 (d) The sum of the amounts determined under subsections (a)  
3 through (c) is the particular county's estimated distribution for the  
4 calendar year.

5 SECTION 51. IC 6-1.1-21-4, AS AMENDED BY P.L.245-2003,  
6 SECTION 19, AND AS AMENDED BY P.L.264-2003, SECTION 12,  
7 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
8 [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) Each year the department  
9 shall allocate from the property tax replacement fund an amount equal  
10 to the sum of:

11 (1) each county's total eligible property tax replacement amount  
12 for that year; plus

13 (2) the total amount of homestead tax credits that are provided  
14 under IC 6-1.1-20.9 and allowed by each county for that year;  
15 plus

16 (3) an amount for each county that has one (1) or more taxing  
17 districts that contain all or part of an economic development  
18 district that meets the requirements of section 5.5 of this chapter.  
19 This amount is the sum of the amounts determined under the  
20 following STEPS for all taxing districts in the county that contain  
21 all or part of an economic development district:

22 STEP ONE: Determine that part of the sum of the amounts  
23 under section 2(g)(1)(A) and 2(g)(2) of this chapter that is  
24 attributable to the taxing district.

25 STEP TWO: Divide:

26 (A) that part of the subdivision (1) amount that is attributable  
27 to the taxing district; by

28 (B) the STEP ONE sum.

29 STEP THREE: Multiply:

30 (A) the STEP TWO quotient; times

31 (B) the taxes levied in the taxing district that are allocated to  
32 a special fund under IC 6-1.1-39-5; **plus**

33 **(4) the total amount of property tax deduction replacement**  
34 **credits that are provided under IC 6-1.1-21.9 and allowed by**  
35 **each county for that year.**

36 (b) Except as provided in subsection (e), between March 1 and  
37 August 31 of each year, the department shall distribute to each county  
38 treasurer from the property tax replacement fund one-half ( $\frac{1}{2}$ ) of the  
39 estimated distribution for that year for the county. Between September  
40 1 and December 15 of that year, the department shall distribute to each  
41 county treasurer from the property tax replacement fund the remaining  
42 one-half ( $\frac{1}{2}$ ) of each estimated distribution for that year. The amount  
43 of the distribution for each of these periods shall be according to a  
44 schedule determined by the property tax replacement fund board under  
45 section 10 of this chapter. The estimated distribution for each county

1 may be adjusted from time to time by the department to reflect any  
 2 changes in the total county tax levy upon which the estimated  
 3 distribution is based.

4 (c) On or before December 31 of each year or as soon thereafter as  
 5 possible, the department shall make a final determination of the amount  
 6 which should be distributed from the property tax replacement fund to  
 7 each county for that calendar year. This determination shall be known  
 8 as the final determination of distribution. The department shall distribute  
 9 to the county treasurer or receive back from the county treasurer any  
 10 deficit or excess, as the case may be, between the sum of the  
 11 distributions made for that calendar year based on the estimated  
 12 distribution and the final determination of distribution. The final  
 13 determination of distribution shall be based on the auditor's abstract filed  
 14 with the auditor of state, adjusted for postabstract adjustments included  
 15 in the December settlement sheet for the year, and such additional  
 16 information as the department may require.

17 (d) All distributions provided for in this section shall be made on  
 18 warrants issued by the auditor of state drawn on the treasurer of state.  
 19 If the amounts allocated by the department from the property tax  
 20 replacement fund exceed in the aggregate the balance of money in the  
 21 fund, then the amount of the deficiency shall be transferred from the  
 22 state general fund to the property tax replacement fund, and the auditor  
 23 of state shall issue a warrant to the treasurer of state ordering the  
 24 payment of that amount. However, any amount transferred under this  
 25 section from the general fund to the property tax replacement fund  
 26 shall, as soon as funds are available in the property tax replacement  
 27 fund, be retransferred from the property tax replacement fund to the  
 28 state general fund, and the auditor of state shall issue a warrant to the  
 29 treasurer of state ordering the replacement of that amount.

30 (e) Except as provided in subsection (I), the department shall not  
 31 distribute under subsection (b) and section 10 of this chapter the money  
 32 attributable to the county's property reassessment fund if:

33 (1) by the date the distribution is scheduled to be made, ~~(1)~~ the  
 34 county auditor has not sent a certified statement required to be  
 35 sent by that date under IC 6-1.1-17-1 to the department of local  
 36 government finance; ~~or~~

37 (2) *by the deadline under IC 36-2-9-20, the county auditor has not*  
 38 *transmitted data as required under that section; or*

39 ~~(2)~~ **(3) the county assessor has not forwarded to the department**  
 40 **of local government finance the duplicate copies of all**  
 41 **approved exemption applications required to be forwarded by that**  
 42 **date under IC 6-1.1-11-8(a).**

43 (f) Except as provided in subsection (I), if the elected township  
 44 assessors in the county, the elected township assessors and the county  
 45 assessor, or the county assessor has not transmitted to the department  
 46 of local government finance by October 1 of the year in which the

1 distribution is scheduled to be made the data for all townships in the  
 2 county required to be transmitted under IC 6-1.1-4-25(b), the state  
 3 board or the department shall not distribute under subsection (b) and  
 4 section 10 of this chapter a part of the money attributable to the  
 5 county's property reassessment fund. The portion not distributed is the  
 6 amount that bears the same proportion to the total potential distribution  
 7 as the number of townships in the county for which data was not  
 8 transmitted by ~~August 1~~ *October 1* as described in this section bears to  
 9 the total number of townships in the county.

10 (g) Money not distributed ~~under subsection (e)~~ *for the reasons stated*  
 11 *in subsection (e)(1) and (e)(2)* shall be distributed to the county when:

12 (1) the county auditor sends to the department of local  
 13 government finance the certified statement required to be sent  
 14 under IC 6-1.1-17-1; and

15 (2) the county assessor forwards to the department of local  
 16 government finance the approved exemption applications required  
 17 to be forwarded under IC 6-1.1-11-8(a);

18 with respect to which the failure to send *or forward* resulted in the  
 19 withholding of the distribution under subsection (e).

20 (h) Money not distributed under subsection (f) shall be distributed  
 21 to the county when the elected township assessors in the county, the  
 22 elected township assessors and the county assessor, or the county  
 23 assessor transmits to the department of local government finance the  
 24 data required to be transmitted under IC 6-1.1-4-25(b) with respect to  
 25 which the failure to transmit resulted in the withholding of the  
 26 distribution under subsection (f).

27 (I) The restrictions on distributions under subsections (e) and (f) do  
 28 not apply if the department of local government finance determines that:

29 (1) the failure of:

30 (A) a county auditor to send a certified statement; or

31 (B) a county assessor to forward copies of all approved  
 32 exemption applications;

33 as described in subsection (e); or

34 (2) the failure of an official to transmit data as described in  
 35 subsection (f);

36 is justified by unusual circumstances.

37 SECTION 52. IC 6-1.1-21.9 IS ADDED TO THE INDIANA CODE  
 38 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON  
 39 PASSAGE];

40 **Chapter 21.9. Property Tax Deduction Replacement Credits**

41 **Sec. 1. This chapter applies to the following:**

42 (1) A property tax deduction increment.

43 (2) A qualified property tax deduction.

44 **Sec. 2. The definitions set forth in IC 6-1.1-21 apply throughout**  
 45 **this chapter.**

1       **Sec. 3.** As used in this chapter, "county property tax deduction  
2 replacement amount" means the sum of a particular county's  
3 taxpayer property tax deduction replacement credits.

4       **Sec. 4.(a)** This section applies only to a property tax deduction  
5 available under this article that is:

6           (1) in effect on November 1, 2003; and

7           (2) increased in value by the general assembly after  
8 November 18, 2003, and before March 14, 2004.

9       **(b)** As used in this chapter, "property tax deduction increment"  
10 means"

11           (1) the value of a property tax deduction available under this  
12 article (as in effect after October 31, 2003); minus

13           (2) the value of the property tax deduction described in  
14 subdivision (1) before November 1, 2003.

15       **Sec. 5.** As used in this chapter, "qualified property tax  
16 deduction" means a property tax deduction enacted by the general  
17 assembly after November 1, 2003, and before March 14, 2004.

18       **Sec. 6.** As used in this chapter, "taxpayer's property tax  
19 deduction replacement credit" means the amount determined in  
20 the last of the following STEPS:

21       **STEP ONE:** Determine the sum of a particular taxpayer's  
22 property tax deduction increments.

23       **STEP TWO:** Determine the sum of the taxpayer's qualified  
24 property tax deductions.

25       **STEP THREE:** Determine the sum of the STEP ONE and STEP  
26 TWO results.

27       **STEP FOUR:** Multiply the STEP THREE result by the total  
28 net tax rate applicable in the taxpayer's taxing district.

29       **Sec. 7. (a)** The department, with the assistance of the auditor of  
30 state and the department of local government finance, shall  
31 determine for each county an amount equal to the county  
32 property tax deduction replacement amount.

33       **Sec. 8.** For purposes of calculating tax rates, the county auditor  
34 shall add the sum of each county taxpayer's:

35           (1) property tax deduction increments; and

36           (2) qualified property tax deductions;

37 to the county's net assessed value.

38       **Sec. 9.** For purposes of calculating a particular taxpayer's tax  
39 bill, the county treasurer shall add the sum of the taxpayer's:

40           (1) property tax deduction increments; and

41           (2) qualified property tax deductions;

42 to the taxpayer's net assessed value.

43       **Sec. 10. (a)** Each year the taxpayers of each county shall

1 receive a credit for property tax deduction replacement in the  
 2 amount of each taxpayer's property tax deduction replacement  
 3 credit amount for taxes which under IC 6-1.1-22-9 are due and  
 4 payable in May and November of that year. The credit shall be  
 5 applied to each installment of taxes. The dollar amount of the  
 6 credit for each taxpayer shall be determined by the county  
 7 auditor, based on data furnished by the department of local  
 8 government finance."

9 Page 111, between lines 6 and 7, begin a new paragraph and insert:

10 "SECTION 91. [EFFECTIVE UPON PASSAGE] (a) IC 6-1.1-12-9,  
 11 IC 6-1.1-12-11, IC 6-1.1-12-13, IC 6-1.1-12-14, IC 6-1.1-12-16,  
 12 IC 6-1.1-12-17.4, IC 6-1.1-12-18, IC 6-1.1-12-22, IC 6-1.1-12.1-4.1,  
 13 IC 6-1.1-21-3, and IC 6-1.1-21-4, all as amended by this act, apply  
 14 only to property taxes first due and payable after December 31,  
 15 2003.

16 (b) IC 6-1.1-21.9, as added by this act, applies only to property  
 17 taxes first due and payable after December 31, 2003."

18 Renumber all SECTIONS consecutively.

(Reference is to HB 1001 as printed November 18, 2003.)

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Representative Espich